

**AMENDMENTS TO THE CLAIMS**

1. (Currently Amended) An image capturing apparatus, comprising:
  - an imaging system including a lens and an imaging device, the lens forming an image of a subject on a light receiving surface of the imaging device, the imaging device converting the image of the subject to an electronic image signals;
  - a display unit that displays an image in accordance with signals captured through the imaging device;
  - a photometry device that determines a luminance of the subject;
  - an automatic exposure control device that automatically adjusts exposure of the imaging system in accordance with the luminance of the subject determined by the photometry device;
  - a gradation area dividing device that processes the electronic image signals read from the imaging device so as to divide, according to predetermined luminance thresholds, an image obtained by an image-capturing through the imaging system into areas of gradations coarser than gradations in the image capturing;
  - a color-coding device that generates an image signal representing a gradation area divided image by applying the same color to at least one area in the same luminance range in the image obtained by the image-capturing so that the areas of gradations divided by the gradation area dividing device are visually distinguished, the display unit receiving the image signal generated by the color coding device and displaying the gradation area divided image;
  - a luminance range designating device that designates one of the gradations corresponding to the subject in the gradation area divided image displayed on the display unit;

a correcting device that corrects at least one of exposure control of the automatic exposure device and image data obtained with the exposure control so as to obtain a correct exposure for the one of the gradations designated by the luminance range designating device; and a recording device that records the image data corrected by the correcting device.

2. (Original) The image capturing apparatus as defined in claim 1, wherein the color-coding device gives different colors to the gradation areas divided by the gradation area dividing device.

3. (Original) The image capturing apparatus as defined in claim 1, further comprising:

a contour sampling device that samples contour of the subject from the image captured by the imaging device,

wherein the image display unit displays the area of gradation color-coded by the color-coding device and the contour of the subject.

4. (Original) The image capturing apparatus as defined in claim 1, wherein the luminance range designating device is constructed in such a manner as to select one color from color samples displayed on a screen of the image display unit.

5. (Original) The image capturing apparatus as defined in claim 2, wherein the luminance range designating device is constructed in such a manner as to select one color from color samples displayed on a screen of the image display unit.

6. (Original) An automatic exposure correcting method, comprising the steps of:  
imaging by automatically controlling exposure of an imaging system including an imaging device in accordance with results of photometry;  
dividing an image acquired by the imaging step according to predetermined luminance thresholds, and dividing the image into areas of gradations coarser than gradations in the imaging step;  
displaying, on an image display unit, a gradation area divided image in which the same luminance range is given the same color so that the divided areas of gradations can be distinguished visually;  
selecting one of the gradations in the gradation area divided image displayed on the display unit;  
correcting one of exposure control of an automatic exposure control device and image data acquired by the exposure control so as to obtain a correct exposure for the one of the gradations selected in the selecting step; and  
recording the image data acquired by the correcting.

7. (Previously Presented) An image capturing apparatus, comprising:
  - an imaging system including a lens and an imaging device, the lens forming an image of a subject on a light receiving surface of the imaging device, the imaging device converting the image of the subject to an electronic image signals;
  - a display unit that displays an image in accordance with signals captured through the imaging device;
  - a photometry device that determines a luminance of the subject;
  - an automatic exposure control device that automatically adjusts exposure of the imaging system in accordance with the luminance of the subject determined by the photometry device;
  - a gradation area dividing device that processes the electronic image signals read from the imaging device so as to divide, according to predetermined luminance thresholds, an image obtained by an image-capturing through the imaging system into areas of gradations coarser than gradations in the image capturing;
  - a color-coding device that generates an image signal representing a gradation area divided image by applying the same color to at least one area in the same luminance range in the image obtained by the image-capturing so that the areas of gradations divided by the gradation area dividing device are visually distinguished, the display unit receiving the image signal generated by the color coding device and displaying the gradation area divided image;
  - a luminance range designating device that designates one of the gradations in the gradation area divided image displayed on the display unit;
  - a correcting device that corrects the image data for the gradations area designated by the luminance range designating device; and

a recording device that records the image data corrected by the correcting device.

8. (New) The apparatus of claim 7, wherein the captured image and the gradation area divided image are optionally displayed on the display device.

9. (New) The apparatus of claim 7, wherein the captured image and the gradation area divided image are displayed simultaneously on the display device.

10. (New) The apparatus of claim 7, wherein the correcting device only corrects the image data of the area designated by the luminance range designating device.